

MAND05-11757
USDC MA
Judge Keeton

United States Court of Appeals For the First Circuit

No. 06-1383

JOSEPH B. BEY, JR.,

Petitioner, Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE,

Respondent, Appellee.

BeforeBoudin, Chief Judge,
Selya and Howard, Circuit Judges.

JUDGMENT

Entered: December 12, 2006

After careful review, we grant the motion for summary disposition and affirm the judgment below for substantially the reasons stated by the district court.

Among other considerations, the habeas remedy, 28 U.S.C. § 2241, is extraordinary and limited. The appellant made no showing that the classification infringed any protected interest. It neither extended his sentence nor imposed atypical hardship. Sandin v. Conner, 515 U.S. 472 (1995); Dominique v. Weld, 73 F.3d 1156 (1st Cir. 1996).

United States v. Booker, 543 U.S. 220 (2005), has no bearing on this matter.¹ See, e.g., Cirilo-Munzo v. United States, 404 F.3d 527 (1st Cir. 2005).

¹ Accordingly, the remaining pending motions are denied.

Affirmed. 1st Cir. R. 27.0(c).

By the Court:

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk

M. Keel
Deputy Clerk

Date: 4/6/07

Richard Cushing Donovan, Clerk.

LYNNE ALIX MORRISON

By: _____
Appeals Attorney.

[cc: Joseph Bey Jr., Emily R. Schulman, Esq., Sabita Singh, AUSA,
Dina Michael Chaitowitz, AUSA]